United Nations A/50/PV.87

General Assembly
Fiftieth Session

Official Records

87th plenary meeting
Monday, 11 December 1995, 10 a.m.
New York

President: Mr. Diogo Freitas do Amaral . . . . . (Portugal)

The meeting was called to order at 10.40 a.m.

Reports of the Sixth Committee

The President: This morning, the General Assembly will consider the reports of the Sixth Committee on agenda items 139 to 148, and 152.

I request the Rapporteur of the Sixth Committee, Mr. Walid Obeidat of Jordan, to introduce the reports of that Committee in one intervention.

Mr. Obeidat (Jordan), Rapporteur of the Sixth Committee (*interpretation from Arabic*): I have the honour of presenting to the General Assembly the 11 reports of the Sixth Committee on its work on the agenda items which were allocated to it at this session, namely items 139 to 148 and 152. The reports are contained in documents A/50/636 to A/50/646.

At the outset, I should like to thank the Sixth Committee for the honour it bestowed on my country, Jordan, and on me personally, by electing me Rapporteur of the Committee. I should like also to thank the other members of the Bureau for their assistance, first and foremost the Chairman of the Committee, Ambassador Tyge Lehmann of Denmark, whom I congratulate on the particularly fruitful session over which he has presided. The number of draft resolutions or draft decisions which the Sixth Committee has adopted this year by consensus or without a vote attests to the quality of his leadership. My thanks go also to the two Vice-Chairmen, Mr. Abdelwahab Bellouki of Morocco and Mr. Guillermo Camacho of Ecuador, as well as to the two Chairmen of the two working groups, namely Ambassador Peter Tomka of Slovakia, Chairman of the Working Group on the United Nations Decade of International Law, and Ms. María del Luján Flores of Uruguay, Chairman of the Working Group on the Implementation of Charter Provisions Related to Assistance to Third States Affected by the Application of Sanctions.

I shall start my presentation with the report of the Sixth Committee on agenda item 139, entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law", which is contained in document A/50/636. The draft resolution which the Sixth Committee recommends to the General Assembly for adoption is reproduced in paragraph 7 of the report.

By the operative part of the draft resolution, the General Assembly would, *inter alia*, approve the guidelines and recommendations contained in the report of the Secretary-General on this item (A/50/726) and adopted by the Advisory Committee on the Programme of Assistance, which provide for the award of a number of international law fellowships and travel grants both in 1996 and in 1997, subject to the overall resources of the Programme. After expressing its appreciation to the various entities involved in the implementation of the Programme of Assistance, the General Assembly would request the Secretary-General to continue to publicize the Programme and periodically to invite Member States,

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universities, philanthropic foundations and other interested national and international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the Programme or otherwise to assist in its implementation and possible expansion. It would also request the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the Programme during 1996 and 1997 and, following consultations with the Advisory Committee on the Programme, to submit recommendations regarding the execution of the Programme in subsequent years. The General Assembly would also decide to appoint 25 Member States as members of the Advisory Committee on the Programme, for a period of four years beginning on 1 January 1996.

I have been informed, Mr. President, that the consultations you have carried out in that connection have been fruitful. You may wish to let us know, Mr. President, the names of the States nominated as candidates for membership of the Advisory Committee.

The Sixth Committee adopted the draft resolution under item 139 without a vote, and I hope that the Assembly will find it possible to do likewise.

I turn now to the report of the Sixth Committee contained in document A/50/637, which is submitted under agenda item 140, entitled "United Nations Decade of International Law". The draft resolution which the Sixth Committee recommends to the General Assembly for adoption is reproduced in paragraph 10 of the report.

By the operative part of the draft resolution, the General Assembly would, *inter alia*, express its appreciation to States and international organizations and institutions that have undertaken activities in implementation of the programme for the third term of the Decade, and to the Secretary-General for the successful organization of the United Nations Congress on Public International Law. It would also strongly welcome the recent progress made by the Treaty Section of the Office of Legal Affairs in its programme of computerization of its publications. The General Assembly would also invite all States and international organizations and institutions referred to in the programme for the Decade to provide, update or supplement information on activities they have undertaken in implementation of the programme, as appropriate, to the Secretary-General, and to provide him with their views on possible activities for the next term of the Decade. This information would be included in the report of the Secretary-General requested by paragraph 6 of the draft resolution. The Assembly would further encourage the Office of Legal Affairs to continue to bring up to date the publication of the United Nations *Treaty Series* and the *United Nations Juridical Yearbook*. It would also invite the International Committee of the Red Cross (ICRC) to continue to report on activities undertaken by the ICRC and other relevant bodies with regard to the protection of the environment in times of armed conflict, so that the information received may be included in the above-mentioned report of the Secretary-General.

The Sixth Committee adopted the draft resolution by consensus, and I trust that the Assembly will do likewise.

I now turn to the report of the Sixth Committee under agenda item 141, "Report of the International Law Commission on the work of its forty-seventh session", which is contained in document A/50/638. The draft resolution which the Sixth Committee recommends to the General Assembly for adoption is to be found in paragraph 8 of the report.

By the operative part of the draft resolution, the Assembly would, *inter alia*, express its appreciation to the International Law Commission for the work accomplished at its forty-seventh session, and urge the Commission to resume at its forty-eighth session the work on the draft Code of Crimes against the Peace and Security of Mankind and on the draft articles on State responsibility, in such a manner that the second reading of the draft Code and the first reading of the draft articles on State responsibility might be completed at that session. The Assembly would further urge the Commission to resume work on international liability for injurious consequences arising out of acts not prohibited by international law, in order to complete the first reading of the draft articles relating to activities that risk causing transboundary harm; it would also note the beginning of the Commission's work on the two new topics, "The law and practice relating to reservations to treaties" and "State succession and its impact on the nationality of natural and legal persons", and would invite the Commission to continue work on these two topics along the lines indicated in the report.

In addition, the Assembly would request the Commission to examine the procedures of its work for the purpose of further enhancing its contribution to the progressive development and codification of international law and to include its views in its report to the fifty-first session of the General Assembly. The Assembly would

also request the Secretary-General to invite Governments to comment on the present state of the codification process within the United Nations system and to report thereon to the General Assembly at its next session.

May I seize this opportunity to draw the attention of the General Assembly to paragraph 13 of the draft resolution whereby the Assembly would appeal to States that can do so to make the voluntary contributions that are urgently needed for the holding of seminars in conjunction with the sessions of the International Law Commission.

The Sixth Committee has adopted the draft resolution by consensus, and I hope that the Assembly will find it possible to do likewise.

I now turn to item 142 of the agenda entitled "Establishment of an International Criminal Court". The relevant report of the Sixth Committee is to be found in document A/50/639. The draft resolution which the Sixth Committee recommends to the General Assembly for adoption is to be found in paragraph 9 of that document.

By the operative part of the draft resolution, the General Assembly would, *inter alia*, take note of the report of the Ad Hoc Committee on the Establishment of an International Criminal Court, express its appreciation to the Ad Hoc Committee for the useful work done, and decide to establish a preparatory committee, open to all States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, to discuss further the major substantive and administrative issues arising out of the draft statute prepared by the International Law Commission and, taking into account the different views expressed during the meetings, to draft texts, with a view to preparing a widely acceptable consolidated text of a convention for an international criminal court as a next step towards consideration by a conference of plenipotentiaries. The General Assembly would also decide that the work of the Preparatory Committee will be based on the draft statute prepared by the International Law Commission and that, in such work, due account will be taken of the report of the Ad Hoc Committee, of the written comments submitted by States to the Secretary-General on the draft statute for an international criminal court and, as appropriate, of the contributions of relevant organizations. The General Assembly would decide that the Preparatory Committee will meet from 25 March to 12 April and from 12 to 30 August 1996 and will submit its report to the General Assembly at the beginning of its fifty-first session.

The Sixth Committee adopted the draft resolution by consensus. I hope the Assembly will find it possible to do the same.

I now turn to document A/50/640 and Corr.1 which contains the report of the Sixth Committee under agenda item 143 entitled "Report of the United Nations Commission on International Trade Law on the work of its twenty-eighth session". The two draft resolutions which the Sixth Committee recommends to the General Assembly for adoption are reproduced in paragraph 12 of the report.

Under the operative part of the first draft resolution entitled "Report of the United Nations Commission on International Trade Law on the work of its twenty-eighth session", the General Assembly would, *inter alia*, take note with appreciation of the report of the United Nations Commission on International Trade Law (UNCITRAL) on the work of its twenty-eighth session, commend the Commission for the progress made at that session in the preparation of a draft Model Law on Legal Aspects of Electronic Data Interchange and Related Means of Communication, as well as in the preparation of draft Notes on Organizing Arbitral Proceedings, and welcome the decision of the Commission to commence work on the subjects of receivables financing and cross-border insolvency, and to consider the feasibility and desirability of undertaking work on negotiability and transferability of electronic data interchange of transport documents. The Assembly would also reaffirm the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field. It would also reaffirm the importance, in particular for developing countries, of the work of the Commission in relation to training and technical assistance in the field of international trade law and would express the desirability of increased efforts by the Commission in sponsoring seminars and symposia to provide such training and technical assistance. The Assembly would also appeal to Governments, the relevant United Nations organs, organizations and institutions and individuals to make voluntary contributions to the trust fund for travel assistance to developing countries that are members of the Commission, and decide to continue its consideration in the competent Main Committee during the fiftieth session of the General Assembly of granting travel assistance, within disposable resources, to the least developed countries that are members of the Commission. It would also stress the importance of bringing into effect the conventions emanating from the

work of the Commission for the global unification and harmonization of international trade law and, to this end, would urge States that have not yet done so to consider signing, ratifying or acceding to those conventions.

Under the operative part of the second draft resolution entitled "United Nations Convention on Independent Guarantees and Stand-by Letters of Credit", the General Assembly would, after expressing its appreciation to UNCITRAL for preparing the draft United Nations Convention on Independent Guarantees and Stand-by Letters of Credit, adopt and open for signature or accession the said instrument, which is annexed to the draft resolution, and call upon all Governments to consider becoming party thereto.

The Sixth Committee adopted both draft resolutions without a vote, and I hope the General Assembly will do the same.

May I now turn to the report of the Sixth Committee circulated under the symbol A/50/641, which is submitted under agenda item 144 entitled "Report of the Committee on Relations with the Host Country". The Sixth Committee recommends to the General Assembly for adoption the draft resolution reproduced in paragraph 8 of the report.

By the operative part of the draft resolution, the General Assembly would, *inter alia*, endorse the recommendations and conclusions of the Committee on Relations with the Host Country and express the hope that the host country will continue to take all measures necessary to prevent any interference with the functioning of the missions and that problems raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law.

It would also note with appreciation the Secretary-General's report on the problem of diplomatic indebtedness (A/AC.154/277), underscore the fact that such indebtedness is cause for significant concern to the United Nations and endorse the proposals and procedures on the issue of financial indebtedness set out in Annex II to the current report of the Committee (A/50/26). Furthermore, the Assembly would urge the host country to consider lifting travel restrictions with regard to certain missions and to staff members of the Secretariat of certain nationalities, and call upon the host country to review measures and procedures relating to the parking of diplomatic vehicles, in response to the growing needs of the diplomatic community.

The draft resolution was adopted by the Sixth Committee without a vote, and I hope that the Assembly will do the same.

I turn next to document A/50/642, which contains the report of the Sixth Committee under agenda item 145, entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization". The three draft resolutions that the Sixth Committee recommends to the General Assembly for adoption are reproduced in paragraph 18 of the report.

Under the operative part of the first draft resolution, entitled "United Nations Model Rules for the Conciliation of Disputes between States", the General Assembly would commend the Special Committee for having completed the final text of the Model Rules and would draw to the attention of States the possibility of applying the Model Rules, the text of which is annexed to the draft resolution, whenever a dispute has arisen between States which it has not been possible to solve through direct negotiations. The General Assembly would also request the Secretary-General, to the extent possible and in accordance with the relevant provisions of the Model Rules, to lend his assistance to States resorting to conciliation on the basis of those Rules.

The Sixth Committee adopted the draft resolution by consensus, and I hope that the Assembly will do the same.

Under the operative part of the second draft resolution, entitled "Implementation of Charter provisions related to assistance to third States affected by the application of sanctions", the General Assembly would underline the importance of consultations under Article 50 of the Charter with affected third States and of early and regular assessments of the impact of sanctions on such States. It would invite the Security Council to consider ways of increasing the effectiveness in the consideration of requests by affected countries for assistance, in the context of Article 50, and strongly recommend to the Council to further enhance the functioning of the sanctions committees. The Assembly would also request the Secretary-General, within the disposable resources, to ensure that the Security Council and its sanctions committees are able to carry out their work expeditiously, and to make appropriate arrangements in the relevant parts of the Secretariat, in order to carry out, in a coordinated manner, the functions listed under paragraph 3 of the resolution.

The Assembly would further request the Secretary-General to report to it, at its fifty-first session, on the implementation of paragraph 3 and on possible guidelines for providing better information and assessment about the actual or potential effect of sanctions on third States that invoke Article 50 and assistance available to such States. It would also stress the important role of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination in mobilizing and monitoring, as appropriate, economic assistance efforts to third States affected by the application of sanctions, and invites organizations of the United Nations system, international financial institutions, other international organizations, regional organizations and Member States to consider ways and means for improving consultations in order to maintain a constructive dialogue with third States affected by the application of sanctions.

Lastly, the General Assembly would finally request the Special Committee to continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration the report of the Secretary-General (A/50/361), the proposals presented on this subject, the debate on this question which took place in the Sixth Committee at the fiftieth session of the General Assembly, and, in particular, the implementation of the provisions of the proposed draft resolution.

The Sixth Committee adopted the draft resolution by consensus, and I hope that the Assembly will do the same.

Under the operative part of the third draft resolution, entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization", the General Assembly would, *inter alia*, decide that the Special Committee will hold its next session from 21 February to 5 March 1996, so as to carry out its mandate under operative paragraph 4 regarding the maintenance of international peace and security, the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions, the peaceful settlement of disputes between States, the enhancement of cooperation between the United Nations and regional arrangements or agencies, proposals concerning the Trusteeship Council, as well as the status of the United Nations *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*.

The General Assembly would also express its intention to initiate the procedure set out in Article 108 of the Charter of the United Nations to amend the Charter, with prospective effect, by the deletion of the "enemy State" clauses from Articles 53, 77 and 107 at its earliest appropriate future session. It would further decide that the Special Committee will henceforth be open to all States Members of the United Nations and that it will continue to operate on the basis of the practice of consensus. The Assembly would also invite the Special Committee at its 1996 session to identify new subjects for consideration in its future work, with a view to contributing to the revitalization of the work of the United Nations, and to discuss how to offer its assistance to the working groups of the General Assembly in this field.

The Sixth Committee recommends this draft resolution to the General Assembly for consideration and adoption.

Let me now turn to agenda item 146, entitled "Measures to eliminate international terrorism". The relevant report of the Sixth Committee bears the symbol A/50/643. The draft resolution that the Sixth Committee recommends to the General Assembly for adoption is to be found in paragraph 9 of the report.

The draft resolution invites the General Assembly to reaffirm the Declaration on Measures to Eliminate International Terrorism annexed to resolution 49/60 and to urge all States to promote and implement effectively and in good faith the provisions of the Declaration in all its aspects. It further invites the General Assembly to urge all States to cooperate with one another to ensure that no safe haven is found anywhere by those who participate in terrorist activities, and to call upon States to take the necessary steps to implement their obligations under existing international conventions, and fully to observe the principles of international law and to further develop international law on this matter.

The draft resolution also recalls the role of the Security Council in combating international terrorism and requests the Secretary-General to follow up closely the implementation of the Declaration and to submit an annual report on the implementation of paragraph 10 of the Declaration annexed to resolution 49/60, taking into account the modalities set out in his report (A/50/372 and Add.1) and the relevant views of States expressed in the Sixth Committee at the fiftieth session.

The Sixth Committee adopted the draft resolution by consensus, and I trust the General Assembly will wish to do the same.

I now turn to the report of the Sixth Committee submitted under agenda item 147, entitled "Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto", which is contained in document A/50/644. The draft decision that the Sixth Committee recommends to the General Assembly for adoption under this item is contained in paragraph 7 of the report.

Under the terms of the draft decision, the General Assembly would decide to bring the draft articles prepared by the International Law Commission on the subject to the attention of Member States, together with the observations made by Member States, in written form or orally, during the debates of the Sixth Committee, including the report of the Vice-Chairman of the Sixth Committee at the forty-seventh session of the General Assembly. It would, furthermore, remind Member States of the possibility that this field of international law and any further developments within it will be subject to codification at an appropriate time in the future.

The Sixth Committee adopted this draft decision without a vote, and I am confident that the General Assembly will be in a position to do the same.

I now turn to the report of the Sixth Committee, contained in document A/50/645, submitted under agenda item 148, entitled "Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations".

The draft resolution that the Sixth Committee recommends to the General Assembly for adoption under this item is reproduced in paragraph 7 of the report.

Under the terms of the draft resolution, the General Assembly would decide to delete article 11 of the statute of the Administrative Tribunal of the United Nations, with respect to judgements rendered by the Tribunal after 31 December 1995.

The Sixth Committee adopted this draft resolution without a vote, and I trust that the General Assembly will do the same.

Finally, I draw the Assembly's attention to the report of the Sixth Committee, circulated as document A/50/646, under agenda item 152, entitled "Review of the role of the Trusteeship Council". The draft resolution that the Sixth Committee recommends to the General Assembly for adoption is reproduced in paragraph 8 of the report.

Under the operative part of the draft resolution, the General Assembly would request the Secretary-General to invite Member States to submit written comments on the future of the Trusteeship Council and to submit to the General Assembly before the end of the present session, for appropriate consideration, a report containing those comments. We have concluded consideration of this item.

The Sixth Committee adopted the draft resolution by consensus, and I hope that the General Assembly will do the same.

Before concluding, I should like to point out that the Sixth Committee expressed its appreciation and thanks to Miss Jacqueline Dauchy, as this is the last session of her connection with the Sixth Committee before her impending retirement.

I may have taken up too much the Assembly's time, but I hope that delegations will agree that the Sixth Committee's achievements at this session justify separate treatment of each item regardless of its size.

Let me take this opportunity to extend special thanks to the Secretariat for all its help and cooperation. I should like, in particular, to thank the Legal Counsellor, Mr. Hans Corell; the Secretary of the Committee, Miss Jacqueline Dauchy; the Deputy Secretary, Mr. Manuel Rama-Montaldo; and all the other officers who provided their services. My thanks go also to the interpreters, translators and others working in the area of conference services.

The President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Sixth Committee which are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote.

The positions of delegations regarding the recommendations of the Sixth Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that under paragraph 7 of decision 34/401 the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Sixth Committee, I should like to advise representatives that we are going to take decisions in the same manner as in the Sixth Committee, except in those cases where delegations have already notified the Secretariat otherwise. This means that where a recorded vote was taken in the Committee, we will do the same.

I would also hope that we may proceed to adopt without a vote those recommendations that were adopted without a vote in the Sixth Committee.

Agenda item 139

United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

Report of the Sixth Committee (A/50/636)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 7 of its report (A/50/636).

The draft resolution was adopted by the Sixth Committee without a vote.

May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 50/43).

The President: In connection with paragraph 17 of the resolution just adopted, concerning the appointment of 25 Member States as members of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, and after consultations with the Chairmen of the regional groups, I have been informed that the following States have been endorsed: six African States for six vacancies: Ethiopia, Ghana, Kenya, Nigeria, the Sudan and the United Republic of Tanzania; five Asian States for five vacancies: Cyprus, the Islamic Republic of Iran, Lebanon, Malaysia and Pakistan; three Eastern European States for three vacancies: the Czech Republic, the Russian Federation and Ukraine; five Latin American and Caribbean States for five vacancies: Colombia, Jamaica, Mexico, Trinidad and Tobago and Uruguay; six Western European and other States for six vacancies: Canada, France, Germany, Italy, Portugal and the United States of America.

As the number of States from the African States, the Asian States, the Eastern European States, the Latin American and Caribbean States and the Western European and other States corresponds to the number of seats to be filled in each of those groups, may I take it that the Assembly appoints these States as members of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law for a period of four years beginning on 1 January 1996?

It was so decided.

The President: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 139?

It was so decided.

Agenda item 140

United Nations Decade of International Law

Report of the Sixth Committee (A/50/637)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 10 of its report (A/50/637).

The draft resolution was adopted by the Sixth Committee by consensus.

May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 50/44).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 140.

It was so decided.

Agenda item 141

Report of the International Law Commission on the work of its forty-seventh session

Report of the Sixth Committee (A/50/638)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 8 of its report (A/50/638).

The draft resolution was adopted by the Sixth Committee by consensus.

May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 50/45).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 141?

It was so decided.

Agenda item 142

Establishment of an international criminal court

Report of the Sixth Committee (A/50/639)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 9 of its report (A/50/639).

The draft resolution was adopted by the Sixth Committee by consensus.

May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 50/46).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 142?

It was so decided.

Agenda item 143

Report of the United Nations Commission on International Trade Law on the work of its twenty-eighth session

Report of the Sixth Committee (A/50/640 and Corr.1)

The President: The Assembly will now take a decision on the two draft resolutions recommended by the Sixth Committee in paragraph 12 of its report (A/50/640 and Corr.1).

Draft resolution I, entitled "Report of the United Nations Commission on International Trade Law on the work of its twenty-eighth session", was adopted by the Sixth Committee without a vote.

May I take it that the Assembly wishes to do likewise?

Draft resolution I was adopted (resolution 50/47).

The President: Draft resolution II is entitled "United Nations Convention on Independent Guarantees and Stand-by Letters of Credit".

The Sixth Committee adopted draft resolution II without a vote.

May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 50/48).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 143?

It was so decided.

Agenda item 144

Report of the Committee on Relations with the Host Country

Report of the Sixth Committee (A/50/641)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 8 of its report (A/50/641).

The draft resolution was adopted by the Sixth Committee without a vote.

May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 50/49).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 144?

It was so decided.

Agenda item 145

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Report of the Sixth Committee (A/50/642)

The President: The Assembly will now take a decision on the three draft resolutions recommended by the Sixth Committee in paragraph 18 of its report (A/50/642).

Draft resolution I is entitled "United Nations Model Rules for the Conciliation of Disputes between States".

Draft resolution I was adopted by the Sixth Committee by consensus.

May I consider that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 50/50).

The President: Draft resolution II is entitled "Implementation of Charter provisions related to assistance to third States affected by the applications of sanctions".

Draft resolution II was adopted by the Sixth Committee by consensus.

May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 50/51).

The President: Draft resolution III is entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine,

United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe

Against:
None

Abstaining:
Cuba, Democratic People's Republic of Korea, Libyan Arab Jamahiriya

Draft resolution III was adopted by 155 votes to none, with 3 abstentions (resolution 50/52).

[Subsequently, the delegation of Angola informed the Secretariat that it had intended to vote in favour.]

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 145?

It was so decided.

Agenda item 146

Measures to eliminate international terrorism

Report of the Sixth Committee (A/50/643)

The President: I call on the representative of Turkey, who wishes to speak in explanation of position before a decision is taken on the draft resolution recommended by the Sixth Committee in paragraph 9 of its report (A/50/643).

Mrs. Baykal (Turkey): Turkey attaches particular importance to the item "Measures to eliminate international terrorism" since it has been suffering from the scourge of terrorism for some time.

Acts of terrorism continue to violate fundamental human rights, particularly the right to life. It is imperative that terrorists find no safe haven anywhere.

Along these lines, paragraph 5 of the draft resolution

"urges all States to strengthen cooperation with one another to ensure that those who participate in terrorist activities, whatever the nature of their participation, find no safe haven anywhere."

In keeping with the spirit of the paragraph, we believe that in this respect the civil and humanitarian character of the humanitarian sanctuaries should be protected. Cooperation between refugee States and humanitarian organizations and agencies is vital to this end.

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 9 of its report (A/50/643).

The draft resolution was adopted by the Sixth Committee by consensus.

May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 50/53).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 146.

It was so decided.

Agenda item 147

Consideration of the draft articles on the status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier and of the draft optional protocols thereto

Report of the Sixth Committee (A/50/644)

The President: The Assembly will now take a decision on the draft decision recommended by the Sixth Committee in paragraph 7 of its report (A/50/644).

The draft decision was adopted by the Sixth Committee without a vote.

May I consider that the Assembly wishes to do the same?

The draft decision was adopted.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 147?

It was so decided.

Agenda item 148

Review of the procedure provided for under article 11 of the statute of the Administrative Tribunal of the United Nations

Report of the Sixth Committee (A/50/645)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 7 of its report (A/50/645).

The draft resolution was adopted by the Sixth Committee without a vote.

May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 50/54).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 148?

It was so decided.

Agenda item 152

Review of the role of the Trusteeship Council

Report of the Sixth Committee (A/50/646)

The President: The Assembly will now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 8 of its report (A/50/646)

The draft resolution was adopted by the Sixth Committee by consensus.

May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 50/55).

The President: The Rapporteur of the Sixth Committee has indicated that consideration of agenda item 152 has been concluded. May I take it that it is also the wish of the General Assembly to conclude its consideration of this agenda item?

It was so decided.

The President: The General Assembly has thus concluded its consideration of all the reports of the Sixth Committee.

Agenda item 22 *(continued)*

Return or restitution of cultural property to the countries of origin

Note by the Secretary-General transmitting the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization (A/50/498)

Draft resolution (A/50/L.28)

The President: Members will recall that the debate on agenda item 22 was concluded at the 69th plenary meeting of the General Assembly, on 27 November 1995.

I should like to announce that since the introduction of draft resolution A/50/L.28, the following countries have become co-sponsors: Azerbaijan, Bolivia, Cambodia, Cameroon, China, Congo, Côte d'Ivoire, Cyprus, Gabon, Greece, Guatemala, Lebanon, Mali, Mongolia, Niger, Peru and Turkey.

The Assembly will now take a decision on draft resolution A/50/L.28.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Armenia, Australia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Djibouti, Dominica, Ecuador, El Salvador, Estonia, Ethiopia, Fiji, Finland, Gabon, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar,

Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Republic of Korea, Samoa, Saudi Arabia, Senegal, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe

Against:

None

Abstaining:

Andorra, Austria, Belgium, Denmark, France, Georgia, Germany, Ireland, Israel, Italy, Luxembourg, Monaco, Netherlands, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution A/50/L.28 was adopted by 124 votes to none, with 24 abstentions (resolution 50/56).

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 22?

It was so decided.

The meeting rose at 11.40 a.m.